

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JULIAN PARRILLA PEREZ,
CARLA RIVERA CRUZ, and
ADY RASHID RODRIGUEZ PEREZ,
Plaintiffs,

v.

POLICE OFFICER VEGA,
POLICE OFFICER GINGRASSO,
and THE CITY OF READING.
Defendants.

CIVIL ACTION

NO. 18-0997

ORDER

AND NOW, this 28th day of February, 2020, upon consideration of:

Defendants' Motion for Summary Judgment (ECF No. 34), Defendants' Statement of Material Undisputed Facts in Support of their Motion for Summary Judgment (ECF No. 33), Plaintiffs' Response in Opposition to Defendants' Motion for Summary Judgment (ECF No. 38) filed, and Plaintiffs' Reply to Defendants' Statement of Material Undisputed Facts (ECF No. 38-1), **IT IS ORDERED** as follows:

1. Defendants' Motion for Summary Judgment on Plaintiffs' selective enforcement (Count II), conspiracy (Count III), and state law trespass (Count IV) claims is **GRANTED** as to all Defendants. Counts II, III, and IV are dismissed.
2. Defendants' Motion for Summary Judgment on Plaintiffs' claims for excessive force (Count I) and state law assault and battery (Count V) against Defendants Vega and Gingrasso in their individual capacities is **DENIED**.
3. Defendants' Motion for Summary Judgment on Plaintiffs' punitive

damages claim against Defendants Vega and Gingrasso their individual capacities is **DENIED**.

4. Summary judgment on all claims against the City of Reading (Counts I-III) is **GRANTED**.

5. All Claims (Counts I-V) against Defendants Vega and Gingrasso in their official capacities are **DISMISSED**.

6. All claims (Counts I-V) against Police Officers John Does 1-8 are **DISMISSED**.

7. The caption is amended to JULIAN PARRILLA PEREZ, CARLA RIVERA CRUZ, and ADY RASHID RODRIGUEZ PEREZ, Plaintiffs v. POLICE OFFICER VEGA and POLICE OFFICER GINGRASSO, in their individual capacities.

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN
United States Magistrate